

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF GEORGIA  
MACON DIVISION

xxxx )  
 )  
Plaintiff, )  
 )  
v. ) \_\_\_\_\_:\_\_\_\_-CV- \_\_\_\_ (MTT)  
 )  
xxxx )  
 )  
Defendant. )  
 )  
\_\_\_\_\_ )

**PROPOSED SCHEDULING AND DISCOVERY ORDER**

In accordance with the Court's Rules 16 and 26 Order dated \_\_\_\_\_, 2013, the parties to this action conferred and jointly developed this Proposed Scheduling and Discovery Order (the "Proposed Order") containing deadlines and limitations as follows:

**I. Nature of the Case:**

*Please include a brief description of the nature of the case and the legal issues to be tried. This summary should not be argumentative nor recite the evidence, but should call the Court's attention to any unique or complex issues or circumstances surrounding the case.*

**II. Counsel of Record:**

The following attorneys are designated lead counsel for the parties:

*Please include all relevant contact information for each lead counsel or pro se litigant - including: mailing address, phone number, facsimile number, and email address.*

**III. Discovery Deadlines:**

**A. Time for Discovery**

The time for discovery in this case shall expire \_\_\_\_\_, that being no more than 180 days after the submission of the Proposed Order to the Court.

In the event that one or all parties believe that a greater time for discovery is needed, the party or parties must file a written motion for extension of time, accompanied by a proposed order for the Court, wherein good cause will be shown for the requested extension.

**B. Witnesses to be Deposed**

*Please include the name and address of every witness to be deposed.*

**C. Expert Witnesses**

**1. Designation of Experts**

The Plaintiff must disclose the identity of any expert witness who may testify at trial on or before \_\_\_\_\_, that being no more than 90 days after the submission of the Proposed Order to the Court.

The Defendant must disclose any expert witnesses who may testify on or before \_\_\_\_\_, that being no more than 120 days after the submission of the Proposed Order to the Court.

If the Plaintiff has not disclosed an expert but the Defendant has or if the Defendant designates an expert to testify on a subject not within the scope of any expert disclosure by the Plaintiff, the Plaintiff shall have 30 days from the date of the Defendant's disclosure to disclose a **rebuttal** expert.

**2. Expert Reports**

Expert reports shall comply with Federal Rule of Civil Procedure 26(a)(2)(B).

**D. Discovery Limitations or Need for Protective Order**

The parties agree that requests for admission that are propounded solely to authenticate documents as provided for under Federal Rule of Civil

Procedure 36(a)(1)(B) are excluded from Local Rule 36's limitation on the number of requests to admit that can be propounded.

*Please include here any other relevant matters, including any matters referenced in Rule 26(f).*

**E. Motions to Compel Discovery**

While written motions to compel discovery may be properly filed, the Court requests that the parties initially refrain from filing such motions, and instead contact Teri L. Hatcher, Courtroom Deputy (478-752-0717) to schedule a telephone conference to discuss any discovery issues.

**IV. Time for Filing Motions:**

**A. Motions to Amend the Pleadings or to Join Parties**

All Motions seeking to amend the pleadings or to join parties or claims to the current action shall be filed as soon as the need for joinder or amendment becomes apparent.

**B. Dispositive Motions**

The parties agree that all Dispositive Motions will be filed no later than \_\_\_\_\_, that being no more than 30 days after the expiration of discovery in this case.

**C. Daubert Motions**

*Daubert* motions must be filed on or before \_\_\_\_\_, that being no more than 30 days after the expiration of discovery in this case.

**V. Certification of the Parties and Counsel:**

The parties certify by their signatures below that they have conferred and discussed the nature and basis of their claims and defenses and the possibilities for prompt settlement or resolution of the case, pursuant to Local Rule 26(f).

**Counsel by their signatures below certify they have read the Court's Rules 16 and 26 Order. All counsel of record shall digitally sign below.**

This \_\_\_\_ day of \_\_\_\_\_, 2014.

Counsel for Plaintiff(s)	Counsel for Defendant(s)
XXX	XXX
xxxxxxxxxxxxxxxxxxxx	xxxxxxxxxxxxxxxxxxxx

The Court, having reviewed the information contained in the Proposed Scheduling and Discovery Order completed and filed jointly by the parties to this action, hereby **ADOPTS** the parties' plan and **MAKES IT THE ORDER OF THE COURT**.

**SO ORDERED** this \_\_\_\_ day of \_\_\_\_\_, 2014.

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MARC T. TREADWELL, JUDGE  
UNITED STATES DISTRICT COURT